

REMARKS

Claims 5-6 have been cancelled. Claims 1 and 7-10 have been amended. Claims 1-4 and 7-14 remain.

The objections and rejections shall be taken up in the order presented in the Official Action.

2-15. Claims 1-6 and 8-14 currently stand rejected for allegedly being anticipated by U.S. Patent 5,639,973 to Okada (hereinafter “Okada”).

As amended claim 1 recites a capacitive sensor that includes a magnetic body, wherein the magnetic body is:

“...connected to the membrane and to the second electrode in such a way that a change of position of the magnetic body, induced by an external magnetic field, will cause a change of position of the second electrode via the membrane, resulting in a capacitance change, wherein said capacitive sensor further comprises an electronic arrangement situated in the first substrate body below the first electrode affixed thereon for processing the measurements signals.” (cl. 1, emphasis added).

The Official Action alleges that Okada discloses such a sensor for sensing a magnetic field, and that this sensor includes an electronic arrangement situated in the first substrate body (see Official Action, pgs. 3-4 regarding claims 5 and 6). The Official Action cites col. 25, lines 35-37 of Okada to support its contention, which states “[i]f the main substrate 100 is constituted with a semiconductor substrate, the above mentioned circuits can be formed on the main substrate 100.” (col. 25, lines 35-37). However, a fair and proper reading of the Okada indicates that main substrate 100 is merely associated with an acceleration sensor.

The main substrate 100 is discussed in Okada with respect to FIGs. 25-28. Okada discloses that the main substrate 100 includes first electrodes E1, as shown in FIG. 27a (see col. 21, lines 3-8).

Referring now to FIG. 14 as pointed to in the sections of Okada cited in the preceding sentence. Okada describes FIG. 14 as a top view showing the flexible substrate detector shown in FIG. 13 (col. 8, lines 1-2). However, the sensor illustrated in FIGs. 13 and 14 is an acceleration sensor. Specifically, the brief description of the drawings section in Okada states “*FIG. 13 is a side cross section view showing the structure of an acceleration detector according to a further embodiment of this invention.*” (col. 7, lines 65-67, emphasis added). In contrast, claim 1 recites a magnetic capacitive sensor. Therefore, the sections of Okada cited to support the contention that Okada anticipates claims 5 and 6 as filed, merely discloses that the circuit is formed on the main substrate 100, but the main substrate 100 is only disclosed in Okada in the context of an acceleration sensor. In contrast, the claimed invention is directed to a magnetic capacitive sensor.

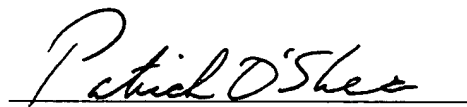
A 35 U.S.C. §102 rejection requires that a single reference teach each and every element of the claimed invention. Again, Okada neither discloses (nor suggests) a magnetic capacitive sensor that includes a first substrate with an electronic arrangement for processing measurement signals. Hence, Okada is incapable of anticipating the claimed invention.

It is respectfully submitted that the rejection of the remaining claims is now moot since the independent claim from which these claims depend, either directly or indirectly, is patentable for at least the reasons set forth above.

For all the foregoing reasons, reconsideration and allowance of claims 1-5 and 7-20 is respectfully requested.

If a telephone interview could assist in the prosecution of this application, please call the undersigned attorney.

Respectfully submitted,

A handwritten signature in cursive script, reading "Patrick O'Shea", written over a horizontal line.

Patrick J. O'Shea
Registration No. 35,305
Samuels, Gauthier & Stevens LLP
225 Franklin Street, Suite 3300
Boston, Massachusetts 02110
Telephone: (617) 426-9180 x121